

## DISTRICT ATTORNEY KINGS COUNTY

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> [INSERT NAME] Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]

Kings County Dkt./Ind. No. [#######]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: KAMNA, ANDREW

MOS TAX:

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move <u>in limine</u> to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

#### Disclosure # 1:

ON APRIL 2, 2014, IN AN ORAL DECISION GRANTING A FEDERAL DEFENDANT'S MOTION TO SUPPRESS FIREARM SEIZED FROM HIM ON NOVEMBER 13, 2013, AS WELL AS STATEMENTS MADE BY HIM FOLLOWING HIS ARREST, UNITED STATES DISTRICT JUDGE JOHN GLEESON FOUND THE TESTIMONY PROVIDED BY POLICE OFFICER ANDREW KAMNA AT THE SUPPRESSION HEARING TO BE INCREDIBLE. MORE SPECIFICALLY, JUDGE GLEESON CONCLUDED THAT P.O. KAMNA'S TESTIMONY REGARDING THE CIRCUMSTANCES SURROUNDING THE STOP OF THE DEFENDANT'S CAR TO BE CONTRADICTED BY OTHER POLICE TESTIMONY AND TO BE INTERNALLY INCONSISTENT. AND, ALTHOUGH TWO OTHER POLICE OFFICERS-POLICE OFFICER STEVEN FRANZEL, SHIELD NUMBER 16063, AND POLICE OFFICER RICHARD CLERI, SHIELD NUMBER 26765- CORROBORATED ONE ASPECT OF P.O. KAMNA'S TESTIMONY (NAMELY, THAT THE DEFENDANT DROVE THROUGH A STOP SIGN), JUDGE GLEESON DID NOT CREDIT THEIR TESTIMONY, BECAUSE IT WAS CONTRADICTED BY THAT OF SERGEANT MATTHEW CAHILL, WHOM THE JUDGE CREDITED.

THE TRANSCRIPT OF JUDGE GLEESON'S APRIL 2, 2014 ORAL DECISION IN UNITED STATES V. RAYMOND JONES, NO. 13-CR-708 (JG) (E.D.N.Y.) IS ATTACHED HERETO.

#### Disclosure #2:

IN 2010, THE CCRB ISSUED A "SUBSTANTIATED" FINDING AGAINST P.O. KAMNA REGARDING HIS USE OF AUTHORITY. ACCORDING TO THE CCRB REPORT, P.O. KAMNA HAD ENTERED THE LOBBY OF A NYCHA BUILDING AND APPROACHED A GROUP OF MALES AND ASKED FOR IDENTIFICATION. WHEN ONE OF THE MALES COULD NOT PROVIDE PROOF THAT HE LIVED INSIDE THAT NYCHA BUILDING, HE WAS PLACED UNDER ARREST, BUT RESISTED. THE CCRB INVESTIGATOR DETERMINED THAT THERE HAD BEEN NO REASON FOR P.O. KAMNA'S INITIAL APPROACH AND QUESTIONING, AND THEREFORE, THE SUBSEQUENT ARREST OF THE MAN WAS INVALID.

#### Disclosure # 3:

THE NYPD SUBSTANTIATE DTHE FOLLOWING ALLEGATION DATED 5-27-11 AGAINST MOS KAMNA:

ALLEGATION: MEMOBOOK INCOMPLETE DISPOSITION

CASE CLOSED: 4/24/12 ACTION TAKEN: 'B' CD ISSUED

#### Disclosure # 4:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION DATED 5-15-12 AGAINST MOS KAMNA: ALLEG: DEPARTMENT RULES/PROCEDURES – IMPROPER/INCOMPLETE MEMOBOOK ENTRIES

ACTION TAKEN: 'A' CD-ISSUED CASE CLOSED: 02/12/13

#### Disclosure # 5:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION DATED 8-23-12 AGAINST MOS KAMNA:

ALLEG: DEPT RULES & VIOLAITONS - MEMOBOOK INCOMPLETE/IMPROPER

ACTION TAKEN: B CD ISSUED CASE CLOSED: 07/08/13

#### Disclosure # 6:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION DATED 6-30-13 AGAINST MOS KAMNA:

ALLEG: MEMOBOOK INCOMPLETE-IMPROPER

ACTION TAKEN: B CD ISSUED CASE CLOSED: 03/26/14

#### Disclosure # 7:

MOS KAMNA IS A NAMED DEFENDANT IN THE FOLLOWING CIVIL ACTIONS:

- TAINA CASTRO V. CITY OF NEW YORK ET AL, 11CV3511, FILED IN THE SOUTHERN DISTRICT OF NY
- RONALD WALKER V. CITY OF NY ET AL 12CV000840 FILED IN THE EASTERN DISTRICT OF NY
- KIM TELFAIR/ELEASE V CITY OF NY ET AL 12CV15627 FILED IN KINGS SUPREME
- USAVIOR LYNCH V. CITY OF NY ET AL 12CV5155 FILED IN THE EASTERN DISTRICT OF NY
- RAHEEM SPENCER, ET AL. V. CITY OF NY ET AL 13CV5354 FILED IN THE EASTERN DISTRICT OF NY.
- JOHN WILLIS, ET AL. V. CITY OF NY ET AL CV 13-2603 FILED IN EASTERN DISTRICT COURT
- SHAMEKA GARDNER V. CITY OF NY, ET AL, 15CV01334, FILED IN EASTERN DISTRICT
- JOEL SOLOMON V. CITY OF NY ET AL 14CV02821 FILED IN EASTERN DISTRICT
- ANDREA RAGSDALE V. CITY OF NY, ET AL, 511884/2014, FILED IN KINGS SUPREME
- NATHANIEL GRAVENHISE V. CITY OF NY, ET AL, 14CV03448, FILED IN EASTERN DITRICT.

# THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS MOS:

### Disclosure #8:

CCRB CASE NO. 201100274
REPORT DATE: 01/07/2011
DATE OF INCIDENT: 12/17/2010
SUBSTANTIATED CCRB ALLEGATION(S):

1. ABUSE – STOP

NYPD DISPOSITION: NYPD ISSUED INSTRUCTIONS

<u>Disclosure # 9:</u> CCRB CASE NO. 201306601 REPORT DATE: 07/22/2013

> Eric Gonzalez District Attorney Kings County